

ORDINANCE NO. SD 04-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE NAMED COUNTY SERVICE AREAS AND IMPROVEMENT ZONES THEREOF, ESTABLISHING AND CONTINUING SEWER AND WATER CONNECTION FEES, AND REPEALING ORDINANCE NO. SD 03-10.

The Board of Supervisors of the County of San Bernardino, State of California, acting in its capacity as the governing body of named county service areas and improvement zones, ordains as follows:

SECTION 1. The Board of Supervisors hereby finds and determines:

a) That this ordinance shall be applicable in the following county service area and improvement zones:

County Service Area 42 (Oro Grande)	Sewer; Water
County Service Area 53	
Improvement Zone B (Fawnskin)	Sewer
County Service Area 64 (Spring Valley Lake)	Sewer; Water
County Services Area 70	
Improvement Zone B(Helendale)	Sewer
Improvement Zone C(Helendale)	Water
Improvement Zone F(Morongo Valley)	Water
Improvement Zone J (Oak Hills)	Water
Improvement Zone L (Pinon Hills)	Water
Improvement Zone S-3 (Lytle Creek)	Sewer
Improvement Zone SP-2(High County)	Sewer
Improvement Zone W-1 (Landers)	Water
Improvement Zone W-3 (Hacienda Heights)	Water
Improvement Zone W-4 (Pioneertown)	Water
County Service Area 79 (Green Valley Lake)	Sewer
County Service Area 82 (Trona/Pioneer Point)	Sewer

(b) That a comprehensive review of the sewer and water connection fees herein has been prepared based on necessary maintenance, expansion and upgrades of the sewer and water systems;

(c) That the following findings are made with respect to these sewer and water connection fees:

1 (1) the purpose of such fees is to update and construct sewer and water
2 facilities within the districts;

3 (2) the fees will be used to finance public facilities, including reservoirs,
4 transmission lines, distribution lines and wells for the water systems and collection system lift
5 stations, treatment facilities and interceptors for the sewer systems;

6 (3) construction and development within the districts will necessitate
7 additional sewer and water facilities, to be financed by these fees;

8 (4) such development will necessitate increased fire flow capacity to meet
9 public safety requirements;

10 (5) the amount of the fees is related to a portion of the cost of the facilities
11 required as a result of development referenced in the comprehensive review.

12 (d) That this ordinance is exempt from environmental review under the California
13 Environmental Quality Act.

14 SECTION 2. In order to upgrade and expand the sewer and water systems
15 within the districts, the following provisions are hereby enacted:

16 (a) That for those districts named in Section 1(a) of this ordinance, there are
17 hereby established the one-time fees specified in Exhibits I-C and II-C, which are
18 incorporated herein by this reference.

19 (b) That such fees shall be payable at the time the permits for sewer and water
20 service are obtained from the named districts and prior to any construction of private line
21 extensions.

22 (c) That these fees shall be adjusted annually by resolution of this Board in
23 accordance with the national figures of the Engineering News Record Construction Cost
24 Index.

25 SECTION 3. The Board of Supervisors hereby declares that it would have
26 adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion
27 thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses,
28 phrases or portions thereof be declared invalid or unconstitutional. If for any reason any part of

1 this ordinance is declared invalid or unconstitutional, then all other provisions hereof shall
2 remain valid and enforceable.

3 SECTION 4. This ordinance shall take effect sixty (60) days from the date of
4 adoption.

5 SECTION 5. Ordinance No. SD 03-10 is hereby repealed upon the effective
6 date of this ordinance.

7 _____
8 DENNIS HANSBERGER, Chairman
Board of Supervisors

9 SIGNED AND CERTIFIED THAT A COPY OF
10 THIS DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD OF SUPERVISORS

11 J. RENEE BASTIAN
12 Clerk of the Board of Supervisors

13 _____
14 STATE OF CALIFORNIA)
15) ss.
16 COUNTY OF SAN BERNARDINO)

17 I, J. RENEE BASTIAN, Clerk of the Board of Supervisors of the County of San
18 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
19 Supervisors of said County and State, held on the _____ day of June 2004, at which meeting
were present Supervisors:

20 and the Clerk; the foregoing ordinance was passed and adopted by the following vote, to wit:

21 AYES: SUPERVISORS
22 NOES: SUPERVISORS
23 ABSENT: SUPERVISORS
24
25
26
27

1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
2 Board of Supervisors this ____ day of June, 2004.

3 J. RENEE BASTIAN, Clerk of the
4 Board of Supervisors of the
5 County of San Bernardino

6 _____
Deputy

7 APPROVED AS TO FORM

8 RONALD D. REITZ
9 County Counsel

10 By _____
Deputy County Counsel

11 Date _____